

CLASSIFICATION OFFICE DECISION

Title of publication: Red

Other known title(s): Not stated

OFLC ref: 1001409.000

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
------------------------	----------------

Descriptive note: None

Display conditions: None

Date of entry in Register: 14 October 2010

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout is deemed objectionable because it promotes and supports the exploitation of children for sexual purposes.

The printout is a copy of a sexually explicit airbrush or digital painting. It depicts a child performing a sexual act on a man. The likely purpose of the printout's image is to titillate or arouse adults with a sexual interest in children. The fictional nature of the depiction does not alter this purpose. The availability of the image is likely to encourage sexual interest in children, and strengthen the idea that children may be used for adult sexual gratification. In computer file format the image is capable of distribution or trading among like-minded individuals. The effect is to encourage the sexual exploitation of children.

The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention and is a reasonable limitation on the freedom of expression. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.